

February 25, 2004.

Susan Jenness
pro-se, Intake Clerk
U.S. District Court for the
District of Massachusetts
John Joseph Moakley
U.S. Courthouse
1 Courthouse Way., Suite-#2300.
Boston, Massachusetts

02210.

CA 04 - 10291 RWZ

Susan Jenness,

My name is John F. Richards, an Inmate who is currently being housed at the Massachusetts Correctional Facility known as MCI--Shirley (Medium). I recently mailed you a Civil Action Complaint from here and asked that you submit it for me.

Enclosed is a copy of the receipt I am forwarding to my case worker to cover the filing fee for that action. Also I am already being further harrassed by the staff here for taking my matters before the Courts further violating my rights to be free from being harrassed and abused, and my right under the 1st amendment to redress my issues with the Courts. Now I am receiving 0 Medical Treatment at all. My chronic disease clinical visit has gone by and they are just not going to see me even though I am in constant pain from my exsisting injuries.

I am further being denied access to schooling in a Law Class being provided here in the Inmate law library, and I am further being harrassed by the Correctional Officer in my block who is trying to provoke me and get me sent to the segregation unit. This recent round of harrassment is no doubt in retaliation for my complaints, both past and recent. This has been going on for along time now and the Courts need to step in and put an end to this before I get hurt even worse than I already have been.

I have written to Middlesex Superior as I have another Action within their Court on another matter. These people will not listen to anyone but the courts and this is why I have been forced to go there for help as I will not get it here.

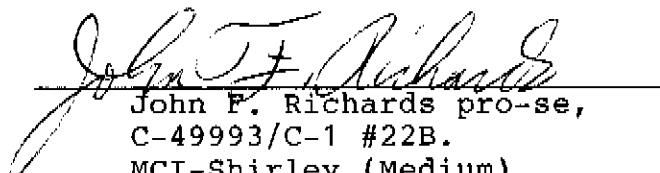
I have tried Mass.Correctional Legal services who has also done nothing on my behalf, and has done nothing to try and bring this abuse to an end. I am dealing with a whole group of friends an relatives here and its only going to get worse if I do not get some relief from the courts.

I have been in prison for 20 years and have never filed a law suit until I got here and it is a shame that I even have to do this to receive the Medical care I should be receiving, and that the Commonwealth pays for. There is no supervision here and they do not care and thats what scares me the most.

If you haven't already I would like my matters brought before the Court and my Motion for the restraining order heard so as I can be safe from these people, even if it is only for a little bit as I am really tiered of living like this, being in pain, and in fear for my health and safety.

Thank you for all of your time and attention in this matter.

Respectfully Submitted,


John F. Richards pro-se,
C-49993/C-1 #22B.
MCI-Shirley (Medium).
P.O.Box-#1218/Harvard Road.
Shirley, Massachusetts

01464.

(2).

MCI SHIRLEY
Money Disbursement

Name: John F. Richards I.D. C-49993
 Date: 2/25/04 Unit: C-1 #22B
 Please withdraw \$ 150.00 from my personal account for the
 purpose of: Court cost/filing fee.

Check payable to: United States District Court
of Massachusetts.

Inmate Signature: *John F. Richards*

Instructions

- 1) Ensure amount is correct
 - 2) Ensure required signatures
 - 3) Attach addressed/stamped envelope
- Request will be returned if not filled out properly.*

..... For Office Use Only

Personal \$ _____ Approved _____
 Denied _____ Modified _____
 Counselor Comments: _____

Counselor Signature _____

Check # _____ Date: _____
 SPS 147B

MCI SHIRLEY
Savings Withdrawal Authorization

Name: John F. Richards I.D. C-49993
 Date: 2/25/04 Unit: C-1 #22B
 I am requesting to withdraw, on a one time basis, the amount of
 \$ 150.00 from my savings account for the following needs:
Court cost/filing fee.

Check payable to: United States District Court
of Massachusetts

Inmate Signature: *John F. Richards*

Counselor Comments: _____

Counselor Signature: _____

Date: _____

..... For Office Use Only

Personal \$ _____ Check # _____
 Savings \$ _____ Date: _____

Approved _____ Modified _____ Denied _____

Superintendent Signature: _____

Date: _____
 SPS 1B5C

February 18, 2004.

Kathleen Dennehy
Acting Commissioner
Mass.Dept.of Corrections
50 Maple Street., Suite-#3.
Milford, Massachusetts
01757-3698.

Kathleen Dennehy,

My name is John F. Richards, an Inmate who is currently being housed in MCI-Shirley (Medium). I am writting to you as I am having yet another problem with the staff here at Shirley Medium and want you to intervene on my behalf. I am also exhausting my administrative remedies at the same time.

First of all I have been getting nothing but a hard time since I arrived here at Shirley Medium from Southeastern Correctional Center back in 2002. I have a suit pending at this time concerning this and the case is Richards vs. Mass.Dept of Corrections et;al, and the civil no. is 03-03196. I have recently been receiving what I believe is some retaliation for this complaint as well as others and I have recently filed a civil rights action in the US District Court and I am waiting to see if they are going to intervene on my behalf and restrain Ms.Mici and her staff her from further retaliating against me for exercising my rights to due process and equal protection under the law.

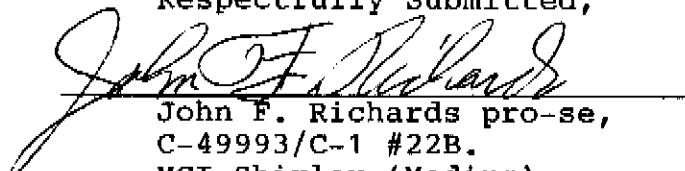
My recent problem came yesturday when I went to see the Librarian a Mr. Dan Morse. I had put in to take a Law-Class which is being offered in the General library. This class is open to all Inmates at Shirley Medium and should be considered school. I was told by the librarian here I was denied access to this class by the IPS Team here at Shirley. I am in the Library and Law Library all day almost everyday of the week so I cannot see how the IPS here can say that this is a security issue and I cannot attend this class. Once again I feel that they are going the extra mile here to further harrass me and to keep me from doing anything but sitting in my cell.

This has been going on for almost 2 straight years now and is not going to get any better until some one tells them that they have to stop this behavior. I have asked the Judge in Middlesex for a restraining order, as well as the Federal Judge. I have also written to the SJC, several Veterans Organizations, and Mass. Legal about the use and abuse here at Shirley.

This is just going to keep escalating if I am kept here, so you have to step in and stop this from happening or ship me to another facility, as I do not feel safe here as no one has made any effort to stop Ms. Mici and her staff from retaliating against me for pursuing my issues (which is my right) with the Courts.

Thank you for all of your time in this matter and I hope to hear from you or some one in your office as soon as it is possible for you to do so.

Respectfully Submitted,


John F. Richards pro-se,
C-49993/C-1 #22B.
MCI-Shirley (Medium).
P.O.Box-#1218/Harvard Road.
Shirley, Massachusetts
01464.

cc: File;
Mass.Corr.Legal Services;
Middlesex Superior Court;
Susan Jenness/pro-se, intake,
clerk US District Court;
Nancy Ankers White Esq,
Mass.DOC Legal Division;
Carolyn Walsh/Executive Director,
Commission on Corrections Reform,
C/O Executive Office of Public
Safety Room-#2133.

February 25, 2004.

Mr. Edward J. Sullivan
Clerk/Magistrate
Middlesex Superior Court
40 Thorndike Street
Cambridge, Massachusetts
02141.

John F. Richards
C-#49993/C-1 #22B.
MCI-Shirley (Medium).
P.O.Box-#1218/Harvard Road.
Shirley, Massachusetts
01464.

Re: John F. Richards-(Plaintiff), vs. Massachusetts Department
of Corrections et;al, (Defendants) Civil No.-#03-03196.

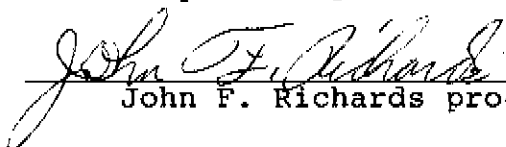
Mr. Sullivan,

I would like you to bring the following papers
(enclosures) before the Judge handling this case. I have been aski-
ng the Court for some protection from the Defendants in this case
as well as from their staff, but I have yet to receive any assistan-
ce from the Court.

I have been receiving more and more retaliation as a result of
trying to exercise my rights to redress my grievances before the
courts. This is supposed to be a protected right under the United
States Constitution, and covered by the 1st amendment. This has go-
ne on to long now and is not going to stop anytime soon. I should
not have to waite until someone knocks my teeth out before the Cou-
rt steps in and offers me some protection. As you can see this is
an ongoing pattern of abuse by the Defendants and their staff. I
sent two (2) motions asking for the Court to restrain the Defendants
and their staff from this kind of behavior and it is time for the
Court to step up to the plate and offer me that protection, and look
out for my health, safety, and my rights to be free from the kind
of harrassment and behavior exhibited towards me by the Defendants
and their staff.

Thank you for all of your time and attention in this matter.

Respectfully Submitted,


John F. Richards pro-se,

cc: File;
US District Court;
Mass.Corr.Legal Services;
Nancy White Esq, Chief Legal
Council/Mass.Dept of Corr:
Kathleen Dennehy, Commissioner;
Carol Mici, Acting Superintendent.

ATTACHMENT "A"

DEPARTMENT OF CORRECTION
INMATE GRIEVANCE FORM
FORWARD TO THE INSTITUTIONAL GRIEVANCE COORDINATOR (IGC)

SECTION "A"

NAME: John F. Richards INSTITUTION: MCI-Shirley (Medium).
NUMBER: C-49993 HOUSING UNIT: C-1 #22B DATE OF INCIDENT: 02/17/04

COMPLAINT: Being denied access to Law class being taught in the Library. This is a class open to all inmates here at Shirley

Medium and should be considered school.

(ATTACH ADDITIONAL PAGE IF NECESSARY)

REMEDY

REQUESTED: I want to be able to participate in this class. I am at the Library everyday, and in the Law Library everyday so there should be no reason for me to be excluded from this class.

INMATE SIGNATURE: John F. Richards DATE: 2/18/04

STAFF RECIPIENT: St. Jpl DATE: 2-20-04

DATE RECEIVED: 2-20-04

SECTION "B"

ASSIGNED GRIEVANCE NUMBER: 2797

DECISION RENDERED: ☒ APPROVED
☒ DENIED

FEB 20 2004

SUMMARY OF FINDINGS:

INMATES who apply for employment in the library must first complete the Law Clerk Training Class. Due to the nature of your offense, you do not clear to work in the School Building.

IGC SIGNATURE: St. Jpl DATE: 2-23-04
(DENIED GRIEVANCES MAY BE APPEALED TO THE SUPERINTENDENT WITH 10 DAYS OF IGC'S DECISION.)

SECTION "C"

INMATE GRIEVANCE RECEIPT

INMATE NAME: John Richards INSTITUTION: SH-4

NUMBER: C-49993 DATE RECEIVED: 2-20-04

SIGNATURE (IGC): St. Jpl TITLE: CPO II

COMMONWEALTH OF MASSACHUSETTS**DEPARTMENT OF CORRECTION****INMATE GRIEVANCE FORM****FORWARD TO INSTITUTIONAL GRIEVANCE COORDINATOR (IGC)**

Name RICHARDS JOHN Grievance# 2797 Institution MCI SHIRLEY (MEDIUM)
Commit No. C49993 Housing C-1 Date Of Incident 20040217 Date Of Grievance 20040218
Complaint Inmate claims that he is being denied access to the Law Clerk Class being taught in the Library.
Remedy Requested To be able to participate in the class.
Staff Recipient Lipka Steven M CPO II
Staff Involved _____
Signature *St. J. Richards*

RECEIPT BY INSTITUTIONAL GRIEVANCE COORDINATOR

Date Received 20040220 Decision Date 20040223
Signature Lipka Steven M CPO II
Final Decision DENIED
Decision Inmates who apply for employment in the Library must first complete the Law Clerk Training Class. Due to the nature of your offense, you do not clear to work in the School Building.
Signature *St. J. Richards* Date 2-23-04

INMATE RECEIPT

Name RICHARDS JOHN Institution MCI SHIRLEY (MEDIUM)
Commit No. C49993 Date Received 20040220
Signature Lipka Steven M CPO II

February 25, 2004.

To: Carol Mici-(Acting Superintendent).

Fr: John F. Richards C-49993/C-1 #22B.

Re: Grievance Number-#2797.

Carol Mici,

I am sending you this appeal as I feel that the decision is not fair, not right, and done in retaliation for past complaints and pursuits to redress my issues before the Courts which is a protected right under the 1st amendment of the Constitution.

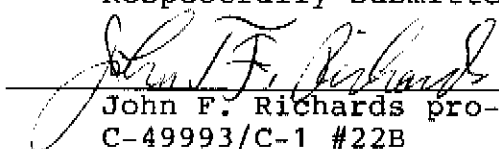
This class, and that is what it was put out as is a "class", was open to the population to sign up for. It is taught in the Law Library during normal operating hours where I am at most of the time anyways. I do not want to be a Law clerk, but I do want to take this class. My crime should not matter. My past escape history should not matter as this is taught by a teacher/paralegal in a place that I am normally allowed to go to anyways. This is my point. I feel that this is just more retaliation which should have ceased long ago.

Also in 103 CMR 478.11(1), it states that it is a Constitutional right of access to the courts and requires that, when "requested, inmates receive assistance in preparing and filing legal papers". This assistance may include access to law library facilities, and "instruction in the use of legal materials and reference assistance". This is what this class accomplishes and I should not be barred from attending this class as it is discriminating, and like I said being done in retaliation.

Thank you for all of your time and attention in this matter, and I hope to hear back from you as soon as it is possible.

Respectfully Submitted,

cc: File;
Kathleen Dennehy;
Middlesex Superior Ct;
Nancy Ankers White/Mass,
dept.of Corrections,
legal Division;
US.District Court;
Mass.Legal Services.


John F. Richards pro-se,
C-49993/C-1 #22B

ATTACHMENT "C"

DEPARTMENT OF CORRECTION
INSTITUTION APPEAL FORM
FORWARD TO THE INSTITUTIONAL SUPERINTENDENT

SECTION A

NAME: John F. Richards INSTITUTION: MCI-Shirley (Medium).
NUMBER: C-49993 HOUSING UNIT: C-1 #22B DATE OF INCIDENT: 02/17/04

APPEAL: I want to appeal Mr. Liptla's decision, and I should be
able to attend this class. (See attached page).

(Grievance Number-#2797).
(ATTACH ADDITIONAL PAGE IF NECESSARY)

REMEDY

REQUESTED: I should have the same right to attend this class and
this is the remedy I am requesting.

INMATE SIGNATURE: *John F. Richards* DATE: 2/23/04

STAFF RECIPIENT: _____ DATE: _____

DATE RECEIVED: _____

SECTION B

ASSIGNED GRIEVANCE NUMBER: _____

ASSIGNED INSTITUTION APPEAL NUMBER: _____

DECISION RENDERED: ☐ APPROVED
☐ DENIED

SUMMARY OF FINDINGS:

SUPERINTENDENT'S
SIGNATURE: _____ DATE: _____

SECTION C

INMATE APPEAL RECEIPT

INMATE NAME: _____ INSTITUTION: _____

NUMBER: _____ DATE RECEIVED: _____

RECEIPTING STAFF: _____ TITLE: _____

Carol Mici-(Acting Superintendent)
MCI-Shirley (Medium)
P.O.Box-1218/Harvard Road.
Shirley, Massachusetts

01464.

Carol Mici,

This morning I went to see Officer Marshall in my housing unit C-1, to see where my name was on the single cell list as I have been in this unit since September of 2002 when I got out of the SMU. I was told by Officer Marshall that I was not on the list so evidently Mr.Liddy and the other Officer Chris who worked here never put me on this list. Not really a surprise though. This officer Marshall said that he would check for me anyways.

At almost 9:00 am I was called out of my cell by officer Marshall who had just finished talking to Michael Natrao, another Defendant in one of my civil cases. Mr.Marshall said that I had to report to the programs building at 9:00 movement to see Mr.Nataro. I told him that he probably made a mistake as I was waiting for a responce from Mr.Liptka regarding my grievance and not Mr.Nataro.

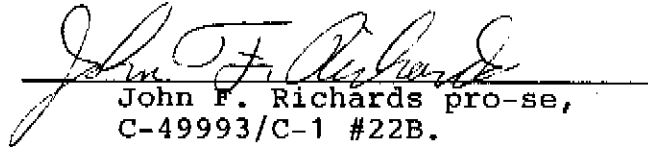
At this time this Officer Marshall also stated that I was ninth on the list for a single cell. I told him that once again he probably made a mistake as I have been here along time and that I should be alot closer. In fact I know I am and am being jumped ahead of on this list. Mr.Marshal at this time made what I perceive is a threat and he asked me if I could "Walk on Water".Clearly he was trying to intimidate me and once again place the thought of a disciplinary report and a trip to the segragation unit in my mind.

Like I told you before I just want what I am supposed to get and you really need to once again talk to your staff about this kind of retaliation and threats. Ive once again sent out request for some assistance and relief from this situation and the copies are enclosed. You rally need to tell your staff to just leave me alone and let me do my time without all of the harrassment and/or the threats associated with their ongoing behavior.

Thank you for all of your time in this matter, and I hope to from you or someone on your staff regarding this issue if/and when

it is convenient for you to do so.

Respectfully Submitted,



John F. Richards pro-se,
C-49993/C-1 #22B.
MCI-Shirley (Medium)
P.O.Box-1218/Harvard Road.
Shirley, Massachusetts
01464.

cc: File;
Middlesex Superior Court;
US District Court;
Mass.Corr.Legal Serv;
Nancy Ankers White Esq,
Mass.Dept,of Corrections,
Legal Division;
Kathleen Dennehy, Acting,
Commissioner/Mass.Dept,
of Corrections.

(2).

February 18, 2004.

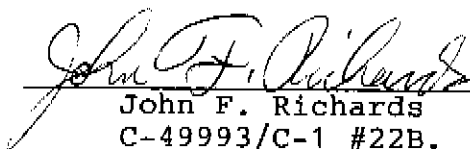
Carol Mici
Acting Superintendent
MCI-Shirley (Medium).
P.O.Box-#1218/Harvard Road.
Shirley, Massachusetts
01464.

Carol Mici,
About a month ago I signed up to take a Law class that is being taught in the library. Yesturday I was told by the librarian Mr.Morse that the IPS had denied me and that I would not be able to take this class. Once again I am the only one on the list that is not being cleared to take this class.

This law class has been offered to the general population and was open for all to sign up. I am in the library and/or law library everyday, sometimes all day long but yet I am not allowed to go to a class in this same library. I've been singled out again and I have already filed the grievance and sent a letter to Kathleen Dennehy regarding this issue, along with a letters to the Courts, Mass.Correctional Legal Services, and the Governors Counsel on Corrections reform.

I once again realize that there is nothing that states that I can go to the school and/or class of my choice, but the law also states that if the institution offers a program and/or school to a prison population it has to offer it to everyone. It wasn't all that much of a surprise though and I had expected this. I do not see where this is a security issue and I hope that you will take a moment to correct this situation as it is wrong and should not be happening.

Respectfully Submitted,


John F. Richards
C-49993/C-1 #22B.

cc: File;
Kathleen Dennehy;
DOC Legal Division,
Nancy Ankers White;
Mass.Corr.Legal Serv.
Commission on Corrections
Reform.

February 25, 2004.

Nancy Ankers White Esq.
Mass.Dept.of Corrections
(Legal Division).
70 Franklin Street., Suite-600.
Boston, Massachusetts
02110-1300.

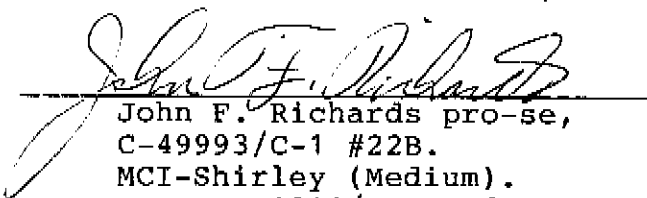
Re: Richards vs. Mass.Dept.of Corrections et;al, civil no.03-
03196.

Nancy White,

Enclosed please find my latest correspondence with Ms.Mici, the courts and recent situations I am having with the staff here at MCI-Shirley (Medium). They just keep throwing one thing after another at me. The discrimination keeps happening, the harrassment keeps happening, and the intimidation keeps happening. I have once again asked the courts to intervene and you as their Chief Legal Council should advise them to stop this behavior and stop the recent retaliation for trying to address my issues within the courts.

Thank you for all of your time and attention in this matter.

Respectfully Submitted,


John F. Richards pro-se,
C-49993/C-1 #22B.
MCI-Shirley (Medium).
P.O.Box-1218/Harvard Road.
Shirley, Massachusetts
01464.

cc: Middlesex Superior Court;
US District Court;
Carol Mici;
Kathleen Dennehy;
Margaret Marshall;
File:
Mass.Corr.Legal Serv.

February 25, 2004.

Margaret M. Marshall
Chief Justice/Massachusetts
Supreme Judicial Court
One Beacon Street., 3rd. Floor
Boston, Massachusetts
02108-3107.

Justice Marshall,

My name is John F. Richards, an Inmate who is currently being housed at the Massachusetts Correctional Facility known as MCI-Shirley medium. I recently wrote to you in regards to some matters I was having concerning my civil action in the Middlesex Superior Court.

First of all I would like to thank you for having someone respond to my letter, and for taking the time to help me. I received a tracking order from Middlesex Superior Court after you had someone inquire about my issues. This is all I have received from them. I am in a bad spot here as one of the Defendants in this matter is at this time the acting superintendent at this facility.

I have been having problems ever since I have been here and things are only escalating and getting worse. I sent two (2) motions to the court to restrain the defendants and their staff from the ongoing retaliation and harrassment I have been receiving here as a result of trying to redress my grievances through the courts. I have received no help or protection from the courts and I am still at this time being harrassed and retaliated against by the defendants and their staff.

I thought that I had a Constitutionally protected right to redress my grievances within the courts without any retaliation and/or harrassment while doing so. I should not have to live in fear of these people, and it should not have to get to the point to where I am physically harmed ("again"), before the courts offer me somekind of protection. This whole situation has been going on for almost two (2) years now and 7 months since I filed this action.

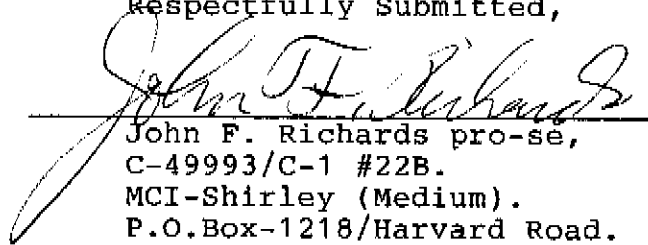
(1).

I realize that you must be very busy but I do not know where else to turn and I hope that you will be able to intervene on my behalf before I really get hurt here. I am not allowed to work, go to school, earn goodtime credits off of my sentence, and live in fear everyday just waiting for the day when they decide they have had enough and decide to take me out.

The court should have offered me some protection in this matter from the start. Enclosed is just some of my latest correspondence with the defendants and the courts to try and resolve my issues. I am not looking for you to decide my case and/or take my side but I would greatly appreciate anything you can do to help direct the court to help me with my issues and keep me safe from the undue harm and day to day stress I am currently dealing with.

Thank you for all of your time and attention in this matter.

Respectfully Submitted,


John F. Richards pro-se,
C-49993/C-1 #22B.
MCI-Shirley (Medium).
P.O.Box-1218/Harvard Road.
Shirley, Massachusetts
01464.

cc: File;
Kathleen Dennehy, Commissioner,
Mass.Dept.of Corrections;
Carol Mici, Acting Superintendent,
MCI-Shirley (Medium);
Nancy Ankers White Esq,/Mass.Dept.
of Corrections Legal Division;
Middlesex Superior Court;
US District Court.

(2).